

By ECF

April 14, 2025

Honorable Ona T. Wang
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Heilbut, et al., v. Cassava, et al.*, Case No. 1:24-cv-05948-JLR-OTW

Dear Judge Wang:

We write jointly on behalf of all parties to respectfully request that the Court enter the proposed confidentiality order submitted herewith (“Proposed Protective Order”).

The parties initially exchanged drafts of the Proposed Protective Order in early March 2025, based on Judge Jennifer L. Rochon’s model protective order, and the parties have spent the past several weeks negotiating certain additional terms. On March 26, 2025, Judge Rochon referred this case to Your Honor for general pretrial matters, including scheduling, discovery, non-dispositive pretrial motions, and settlement. (Dkt. 83.) We attach hereto blacklines against Judge Rochon’s model protective order (Exhibit 1) and Your Honor’s model protective order (Exhibit 2).

As reflected in the Proposed Protective Order, Defendant Cassava Sciences, Inc. (“Cassava”) has proposed an additional designation for “Confidential and Commercially Sensitive” information, which shall not be shared with, reviewed by, or otherwise disclosed to Intervenor-Plaintiff Dr. David Bredt, unless counsel for Dr. Bredt obtains advance written confirmation from Cassava that such material does not contain proprietary business information. (See Proposed Protective Order ¶¶ 4 and 8.) Plaintiffs and Intervenor-Plaintiffs have agreed to this modification, in the interests of promptly receiving Cassava’s reproduction of materials previously produced to government agencies or other counterparties in litigation.

Respectfully submitted,

/s/ Isaac B. Zaur
Isaac B. Zaur

cc: All parties/counsel of record (by ECF)